

REMARKS

Claims 1-40 are pending in the application. Claims 1-3, 5-11, 17-20, 22, and 25-40 are currently rejected. Claims 4, 12-15, 21, 23, and 24 are objected to as depending from a rejected base claim. Claims 4, 12-15, 21, 23, and 24 are indicated as containing allowable subject matter if rewritten in independent form. Claims 1, 7, 11, 13, 14, 16, 22-24, and 28 are amended. Claims 6, 12, and 25-27 are cancelled.

Claims 25, 27, and 28-40 rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite.

Claims 25 and 27 are cancelled.

Claim 28 is amended to change “connector rod” in line for to read “holder rod.” The applicant believes this change solves the rejection and makes the claim allowable. Claims 29-40 depend from Claim 28. The applicant has read Claims 29-40 and believes there are no more references to the “connector rod” language objected to by the examiner.

The applicant has further amended Claim 28 to include a limitation corresponding to subject matter indicated as allowable elsewhere in the office action. Specifically, Claim 28 has been amended to recite “a spreader ... operable to vary the distance between occlusal marking films.” Accordingly, the applicant believes Claim 28 is allowable. Claims 29-40 depend from Claim 28 and are allowable for at least the reasons given for Claim 28.

Claims 1-3 and 5-11 rejected under 35 U.S.C. § 103(a) over Lustig et al. (US 4,185,384) in view of Coffey (US 2,452,903).

Claim 1 has been amended to incorporate the limitations of Claim 12. Claim 12 is indicated as containing allowable subject matter.

The examiner has not shown Lustig ‘384 or Coffey to disclose or fairly suggest an “articulating film holder (that) allows for lateral adjustment of the articulating film position to match the width of the patient’s dental arches,” as recited by amended Claim 1. Accordingly, Claim 1 is allowable over the cited art.

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Claims 2-3 and 5-11 depend from Claim 1 and are also allowable for at least the reasons given for Claim 1.

Claim 12 is cancelled.

Claim 13 is amended to depend from Claim 1 which is allowable for reasons given above.

Claim 14 has been rewritten in independent form and is allowable as indicated by the examiner.

Claim 15 depends from Claim 1 and is allowable as indicated by the examiner.

Claims 16, 17, 22, 25, and 26 rejected under 35 U.S.C. § 103(a) over Lustig et al. (US 4,185,384) in view of ordinary skill in the art.

Claim 16 is amended. Regarding Claim 16, the examiner has not shown Lustig to disclose or fairly suggest a disposable forceps affixed along one edge of the articulating film, and configured for mounting to an articulating film holder" as recited by amended Claim 16. While the examiner stated, with respect to Claims 19 and 20 that Lustig's holding tab "could be" received by an articulating film holder (a conjecture apparently not supported by Lustig '384 and, in the opinion of the applicant, not apparent from the configuration of Lustig's holding tab or other disclosure in Lustig '384), the examiner has not shown Lustig's forceps to be configured for mounting to an articulating film holder. Claim 16 is allowable over Lustig for at least this reason.

Claim 17 depends from Claim 16 and is allowable for at least the reasons given for Claim 16.

Claim 22 is amended. The examiner has not shown Lustig '384 to disclose and adaptor including "an articulating film receiver" and "a holding tab being formed to be received by an articulating film holder," as recited by amended Claim 22. Claim 22 is allowable for at least this reason.

Claims 25 and 26 are cancelled.

The applicant believes this amendment and remarks to be fully responsive to the Office Action dated February 27, 2006. It is respectfully submitted that the claims are now in condition for allowance. Applicant respectfully requests the Examiner to

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grant issuance with claims as now amended. The Examiner is invited to call Mr. Chris Wiklof at (425) 337-2878 with any issues that may advance prosecution of the application on the merits. Applicant submits that no new matter is being submitted.

Respectfully submitted,



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CAW

Enclosures:

Postcard
Transmittal Form PTO/SB/21
Petition for Two-Month Extension of Time
Check for Extension Fee

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